

No. 23-11854-D

**In the United States Court of Appeals
for the Eleventh Circuit**

GRACE, INC.; ENGAGE MIAMI, INC.;
SOUTH DADE BRANCH OF THE NAACP;
MIAMI-DADE BRACH OF THE NAACP;
CLARICE COOPER; YANELIS VALDES;
JARED JOHNSON; ALEXANDRA
CONTRERAS; AND STEVEN MIRO,

Plaintiffs/Appellees,

v.

CITY OF MIAMI,

Defendant/Appellant.

CITY OF MIAMI'S MOTION TO DISMISS APPEAL

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Attorneys for Defendant-Appellant

**CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT**

Appellant, the City of Miami, furnishes this certificate of interested persons and corporate disclosure statement.

1. ACLU Foundation of Florida, Inc., Counsel for Plaintiffs/Appellees
2. Bardos, Andy, Counsel for Defendant/Appellant
3. Carollo, Joe, Defendant/Appellant
4. City of Miami, Defendant/Appellant
5. Cody, Steven, Defendant/Appellant's expert
6. Contreras, Alexandra, Plaintiff/Appellee
7. Cooper, Clarice, Plaintiff/Appellee
8. Covo, Sabina, Defendant/Appellant
9. De Grandy, Miguel, Defendant/Appellant's expert
10. Dechert LLP, Counsel for Plaintiffs/Appellees
11. Diaz de la Portilla, Alex, Defendant/Appellant
12. Engage Miami, Inc., Plaintiff/Appellee
13. GrayRobinson, P.A., Counsel for Defendant/Appellant
14. Grace, Inc., Plaintiff/Appellee
15. Greco, John A, Counsel for Defendant/Appellant
16. Johnson, Christopher N., Counsel for Defendant/Appellant

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17. Johnson, Jared, Plaintiff/Appellee
18. Jones, Kevin R., Counsel for Defendant/Appellant
19. King, Christine, Defendant/Appellant
20. Kirsch, Jocelyn Kirsch, Counsel for Plaintiff/Appellee
21. Levesque, George T., Counsel for Defendant/Appellant
22. McNamara, Caroline A., Counsel for Plaintiff/Appellee
23. McNulty, Kerri L., Counsel for Defendant/Appellant
24. Méndez, Victoria, Counsel for Defendant/Appellant
25. Merken, Christopher J., Counsel for Plaintiff/Appellee
26. Miami-Dade Branch of the NAACP, Plaintiff/Appellee
27. Miro, Steven, Plaintiff/Appellee
28. Moore, K. Michael, United States District Judge, Southern District of
Florida
29. Quintana, Marlene, Counsel for Defendant/Appellant
30. Reyes, Manolo, Defendant/Appellant
31. South Dade Branch of the NAACP, Plaintiff/Appellee
32. Steiner, Neil A., Counsel for Plaintiff/Appellee
33. Suarez, Francis, Defendant/Appellant
34. Tilley, Daniel T., Counsel for Plaintiff/Appellee
35. Unger, Jason L., Counsel for Defendant/Appellant

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36. Valdes, Yanelis, Plaintiff/Appellee

37. Warren, Nicholas L.V., Counsel for Plaintiff/Appellee

38. Wysong, George, Counsel for Defendant/Appellant

The City of Miami certifies that, to the best of its knowledge, no publicly traded company or corporation has an interest in the outcome of the case or appeal.

MOTION TO DISMISS APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b)(2), Appellant, the City of Miami, respectfully moves to dismiss this appeal.

In this interlocutory appeal, the City of Miami sought review of a preliminary injunction prohibiting enforcement of the City's redistricting plan for city-commission districts. On June 14, 2023, while this appeal was pending, the Miami City Commission enacted a new redistricting plan that replaces the redistricting plan enjoined by the district court. Accordingly, the City no longer seeks appellate review of the district court's preliminary-injunction order. This appeal, moreover, remains in its earliest stages, as no briefs have been filed.

Appellees do not oppose dismissal of this appeal and do not oppose each side bearing its own costs. Appellees oppose resolution of the question of attorney's fees and plan to timely file a motion to transfer consideration of attorney's fees to the district court pursuant to Eleventh Circuit Rule 39-2(d). The City will oppose the motion to transfer.

WHEREFORE, Appellant, the City of Miami, respectfully moves to dismiss this appeal.

Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT,
TYPEFACE REQUIREMENTS, AND TYPE-STYLE REQUIREMENTS**

This document complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts of the document exempted by Rule 32(f), this document contains 173 words.

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/s/ George T. Levesque

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